IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELALTE JURISDICTION

CIVIL APPLICATION NO.2645 OF 2006

IN

FIRST APPEAL NO.2521 OF 2005

Khimji Poonja & Co. .. Applicant

V/s

The Municipal Corporation of GreaterMumbai. .. Respondent

Mr.Vijay Rajput and Associates for the Applicant.
Mr.J.Xavier for the Respondent.

CORAM : DR.S.RADHAKRISHNAN,J.

DATE : 7TH JUNE, 2006.

P.C.:

1. Heard the learned Counsel for the parties. By this Civil Application, the Applicant is seeking to recall an order dated 7th April, 2006 whereby the above appeal is dismissed for default. Perused the Civil Application, for the reasons stated therein, sufficient cause is made out for restoration of above appeal. Hence, the Civil Application made absolute in terms of prayer clauses (a) and (b).

2. Place the above appeal for admission on 14th June, 2006. The learned Counsel for the Applicant states that the structure has not been demolished. If that be so, it shall not be demolished till 16th June, 2006.

(DR.S.RADHAKRISHNAN,J.)